

IFW



Docket No.: 0171-1184PUS1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tatsuya MARUO et al.

Application No.: 10/525,818

Confirmation No.: 9190

Filed: February 25, 2005

Art Unit: 1745

For: NONAQUEOUS ELECTROLYTE AND  
NONAQUEOUS ELECTROLYTE  
SECONDARY BATTERY

Examiner: J. Crepeau

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the following co-pending U.S. Application(s):

<u>Appl. No.</u>	<u>Filing Date</u>	<u>Group</u>
10/472,823	September 25, 2003	1755
10/528,051	March 17, 2005	1713

The subject matter contained in the above-listed co-pending U.S. application(s) may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

**It is respectfully brought to the Examiner's attention that a Protest under 37 C.F.R. § 1.291 was filed as a Part of the Information Disclosure Statement on August 22, 2005 in connection with Appl. No. 10/472,823. The references cited in the Protest are cited in the IDS which is cofiled herewith for the Examiner's consideration.**

- Copies of cited U.S. patent application(s) (specification, claims, and the drawings) or copies of the portion(s) of the application(s) which caused it(them) to be cited, including any claims directed to such portion(s) are attached hereto.
- Copies of the cited U.S. patent application(s) (specification, claims, and the drawings) are available on the USPTO's Image File Wrapper. Therefore copies thereof need not be attached.
- The materials in the envelope are considered trade secrets and are being submitted for consideration under MPEP § 724.

The above-listed co-pending application(s) is(are) not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicant(s) do(does) NOT waive any confidentiality concerning the above-listed co-pending application(s) or this application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents, such application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: February 1, 2007

Respectfully submitted,

By  #43575  
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Attachment(s)

in re Patent Application of:  
Tatsuya MARUO et al.

Application No.: 10/525,818

Confirmation No.: 9190

Filed: February 25, 2005

Art Unit: N/A

For: NONAQUEOUS ELECTROLYTE AND  
NONAQUEOUS ELECTROLYTE  
SECONDARY BATTERY

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT**

**(SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL  
REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE  
1.114 RCE APPLICATION)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

**I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION**

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

**II. COPIES**

a. Copies of cited U.S. patents and patent application publications are not included. Copies of foreign patent documents and non-patent literature are included.

b. Some or all of the documents listed on the PTO-SB08 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

c. REFERENCES PREVIOUSLY CITED OR SUBMITTED - Pursuant to 37 C.F.R. §1.98(d), consideration of information listed on the PTO-SB08 form(s) is requested since any patents, publications, or other information which are listed on the PTO-SB08 form(s) but for which copies are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Appl. No(s) and U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

a. DOCUMENTS IN THE ENGLISH LANGUAGE - The patents, publications, or other information listed on the attached PTO SB08 are in the English language and therefore, do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE - A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

An English language translation of the Abstracts of JP 04-349365 A, JP 11-224831 A and JP 07-161588 (Reference Cite Nos. BA-BC) is attached hereto.

c. ENGLISH LANGUAGE SEARCH REPORT - An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. OTHER - The following additional information is provided for the Examiner's consideration.

IV. FEES (check one box)

a. This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

b. This Information Disclosure Statement is being filed concurrent with the filing of a continuation-in-part, continuation, or divisional patent application; therefore, no fee is required.

c. This Information Disclosure Statement is being filed within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required.  
*(This section is not to be used with RCE's.)*

d. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.

e. This Information Disclosure Statement is being filed concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

f. **This Information Disclosure Statement is being filed before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account for the fee as required by 37 C.F.R. § 1.17(p).**

g. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

No statement; therefore, a fee as required by 37 C.F.R. § 1.17(p) is attached.  
or

See the statement below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(c)

(check only one box)

The undersigned hereby states that:

a. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or

b. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

c. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable

inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VI. PAYMENT OF FEES (check one box)

The required fee is listed on the attached Fee Transmittal.  
 No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated:

*February 1, 2007*

Respectfully submitted,

By *Gerald M. Murphy, Jr.* AF43575  
Gerald M. Murphy, Jr.  
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Attachment(s):

PTO-SB08  
 Documents  
 Other:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



Substitute for form 1449/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1 Attorney Docket Number 0171-1184PUS1

## Complete if Known

Application Number	10/525,818-Conf. #9190
Filing Date	February 25, 2005
First Named Inventor	Tatsuya MARUO
Art Unit	N/A
Examiner Name	Not Yet Assigned

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA*	US-4,482,713	11-13-1984	STRICKLER		
AB*	US-7,154,737-A1	12-26-2006	Maruo et al.		
AC*	US-7,167,353-A1	01-23-2007	Yuyama et al.		

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code <sup>3</sup> -Number-Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup> (Duplicate)
RA	IP-04-349365-A		12-03-1992			✓
BB	JP-11-224831-A		08-17-1999			✓
BC	JP-07-161588-A		06-23-1995			✓

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(ii)) because that application was filed after June 30, 2003 or is available in the IFW. \*Applicant's unique citation designation number (optional). \*See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 601.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*Applicant is to place a check mark here if English language Translation is attached.

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
CA	A.B. McEWEN et al., "Electrochemical Properties of Imidazolium Salt Electrolytes for Electrochemical Capacitor Applications," Journal of the Electrochemical Society, Vol. 146, No. 5, 1999, pp. 1687-1695		
CB	H. MATSUMOTO et al., "Yoyuen oyobi Koon Kagaku (Molten Salt and Pyrochemical)", Vol. 44, No. 1, 2001, pp. 7-18, by Molten Salt Committee of the Electrochemical Society of Japan, including English translation of Section 4.2.1 and Section 5.1.		✓
CC	Z.B. ZHOU et al., "A New Class of Hydrophobic Ionic Liquids: Trialkyl(2-methoxyethyl)ammonium Perfluoroethyltrifluoroborate," Chemistry Letters, Vol. 33, No. 7, 2004, pp. 886-887.		
CD	Certificate of Experimental Results, Stella Chemifa Corporation, December 22, 2004.		✓

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Jonathan Crepeau/	Date Considered	05/30/2008
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Birch, Stewart, Kolasch &amp; Birch, LLP

GMM/GMD/mua

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JC/